

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

<b>UNITED STATES OF AMERICA</b>	)	Criminal No.	8 :21-CR-21 (MAD)
	)		
<b>v.</b>	)	<b>Information</b>	
	)		
<b>NICHOLAS FABER,</b>	)	Violations:	18 U.S.C. § 1030(a)(5)(A)
	)		[Computer Intrusion Causing
	)		Damage]
	)		
	)		18 U.S.C. § 1028A
	)		[Aggravated Identity Theft]
	)		
	)	Two Counts and Forfeiture Allegation	
	)		
<b>Defendant.</b>	)	Counties of Offense:	Albany and Clinton

**THE UNITED STATES ATTORNEY CHARGES:**

**COUNT ONE**  
**[Computer Intrusion Causing Damage]**

On or about December 28, 2018, in Albany and Clinton Counties in the Northern District of New York, and elsewhere, the defendant, **NICHOLAS FABER**, knowingly caused the transmission of a program, information, code, and command, and as a result of such conduct intentionally caused damage without authorization to a protected computer, in violation of Title 18, United States Code, Section 1030(a)(5)(A). That offense caused loss to the State University of New York at Plattsburgh, aggregating at least \$5,000 in value during a one-year period from the defendant's course of conduct affecting at least one protected computer, in violation of Title 18, United States Code, Section 1030(c)(4)(B)(i).

**COUNT TWO**  
**[Aggravated Identity Theft]**

On or about December 28, 2018, in Albany and Clinton Counties in the Northern District of New York, and elsewhere, the defendant, **NICHOLAS FABER**, during and in relation to a felony enumerated in Title 18, United States Code, Section 1028A(c), that is, accessing a protected computer and causing damage, in violation of 18 U.S.C. § 1030(A)(5)(A), knowingly transferred, possessed, and used, without lawful authority, a means of identification of A.V., that is the computer network username and computer network password of A.V, during and in relation to the felony offense of accessing a protected computer and causing damage, all in violation of Title 18, United States Code, Section 1028A(a)(1).

**FORFEITURE ALLEGATION**

1. The allegations contained in Count One of this Information are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1030(i).

2. Upon conviction of an offense in violation of Title 18, United States Code, Section 1030, as set forth in Count One of this Information, the defendant, **NICHOLAS FABER**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1030(i), any property constituting, or derived from, proceeds directly and indirectly as a result of such offenses and any personal property that was used or intended to be used to commit and facilitate the offenses. The property to be forfeited includes, but is not limited to:

- a. Black iPhone X Model: MRYR2LL/A; Serial Number: FK1XLAL5KXKN
- b. MacBook Pro with black case; Serial Number: FVFVV89RHV22
- c. HP Elite Book laptop; Windows product key 89QF8-4NBMB-8HMWDW-YP2HG

- d. MacBook Pro laptop; Serial Number: C0ZQNDUIFVH3
- e. Five USB flash drives
  - i. Model: SDCZ6-1024; Serial Number: BB0806KOIB
  - ii. Model: SDCZ6-4096RB; Serial Number: BH0809NRCB
  - iii. No outer shell. Internal Serial Number: AAP6WFQ9WIA1E11M
  - iv. Model: SDCZ60-016g; Serial Number (partial): BL1702252
  - v. Internal Serial Number: 6C680E13
- f. Insignia tablet Model: NS-15T8LTE; Serial Number: 14J05A012861
- g. iPad (silver), J303—L3Z38
- h. iPhone, model A1549 (silver)

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

Dated: February 8, 2021

NICHOLAS MCQUAID  
Acting Assistant Attorney General  
Criminal Division

By: /s/ Michael J. Stawasz  
Michael J. Stawasz  
Deputy Chief for Computer Crime

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